City Council Agenda Memo



City Council

Meeting Date: 1/22/2015

TO: David A. Vela, Interim City Manager

FROM: Jon James, AICP

Director of Planning and Development Services

SUBJECT: First reading on an ordinance for Case No. Z-2015-04, a request from the City of Abilene to

rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay)

zoning, located at 189 Locust St; and setting a public hearing for February 12, 2015.

GENERAL INFORMATION

Currently the property is zoned LI and is developed with an old railway station building. The Burlington Railroad Station, referred to on the National Register of Historic Places as "Abilene and Northern Railway Company Depot" was built in 1929. This one story, red brick veneer building is a distinctive Mission Revival Style building. The exterior retains a high degree of integrity. The surrounding area is largely developed with warehousing and commercial uses. The purpose of the zoning is to add the historic overlay on the building to provide some incentives for restoring the building and to place protections from demolition.

The Future Land Use section of the Comprehensive Plan designates this property as part of the 'Central Business District'. The existing LI zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Calk, Lee, McClellan, & Weatherl), none opposed, and 1 abstained (Minter).

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Calk, Ellinger, Rosenbaum, & Famble) and none opposed.

ATTACHMENTS

Ordinance

Staff Report with Maps

| Prepared by: | | Disposition by City Council | | |
|----------------------------------|--------------|-----------------------------|----------------|----------|
| | | | pproved | Ord/Res# |
| Name: Ben Bryner | | □ D | enied | |
| Title: Planning Services Manager | Item No. 6.3 | □ O | ther | |
| January 12, 2015 | | | City Secretary | |

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.
- PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this <u>22nd</u> day of <u>January</u>, A.D. <u>2015</u>.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of December, 2014, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12th day of February, 2015 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 12th day of February, A.D. 2015.

| ATTEST: | |
|----------------|---------------|
| CITY SECRETARY | MAYOR |
| | APPROVED: |
| | CITY ATTORNEY |

| ORDINANCE NO. |
|---------------|
|---------------|

EXHIBIT "A"

Rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning.

Legal Description:

OT ABILENE TIF #1, BLOCK 35, LOT 13-14-15, LEASED LOTS



Location: 189 Locust St

ZONING CASE Z-2015-04 STAFF REPORT



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APPLICANT INFORMATION:

City of Abilene

HEARING DATES:

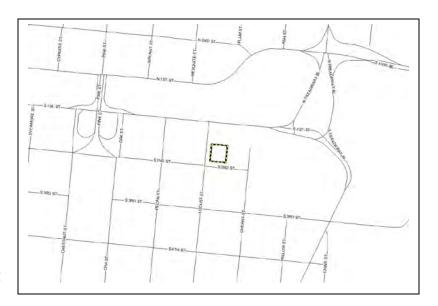
P & Z Commission: January 5, 2015 City Council 1st Reading: January 22, 2015 City Council 2nd Reading: February 12, 2015

LOCATION:

189 Locust St

REQUESTED ACTION:

Rezone property from LI (Light Industrial) to LI/H (Light Industrial/Historic Overlay) zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.48 acres and is currently zoned LI. The adjacent properties are zoned LI to the north, south, & east and HC/H (Heavy Commercial/Historic Overlay) zoning to the west.

ZONING HISTORY:

The property was of the original town limits of 1895 and zoned LI in 1977.

ANALYSIS:

Current Planning Analysis

Currently the property is zoned LI and is developed with an old railway station building. The Burlington Railroad Station, referred to on the National Register of Historic Places as "Abilene and Northern Railway Company Depot" was built in 1929. This one story, red brick veneer building is a distinctive Mission Revival Style building. The exterior retains a high degree of integrity. The surrounding area is largely developed with warehousing and commercial uses. The purpose of the zoning is to add the historic overlay on the building to provide some incentives for restoring the building and to place protections from demolition.

Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this property as part of the 'Central Business District'. The existing LI zoning will remain. The requested overlay zoning is compatible with the Future Land Use Map and the adjacent properties.

Updated: January 12, 2015

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

LANDMARKS COMMISSION RECOMMENDATION:

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Calk, Lee, McClellan, & Weatherl), none opposed, and 1 abstained (Minter).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Calk, Ellinger, Rosenbaum, & Famble) and none opposed.

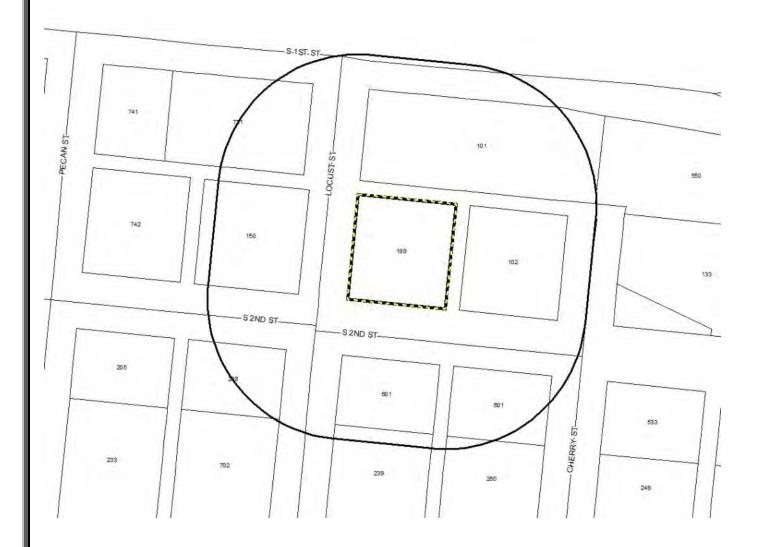
NOTIFICATION:

Property owners within a 200-foot radius were notified of the request.

| OWNER | ADDRESS | RESPONSE |
|------------------------------------|---------------|----------|
| THE MILL WINERY & EVENT CENTER LLC | 239 LOCUST ST | |
| LONE STAR RAILROAD INC | 189 LOCUST ST | |
| UNION PACIFIC SYSTEM | 601 S 2ND ST | |
| FAULKNER DONALD C & MARGIE E | 260 CHERRY ST | |
| K & M AUTO WRECKING INC | 721 S 1ST ST | |
| MC CLUNG SHANE & MELISSA | 150 LOCUST ST | |
| MAYFIELD J STANLEY & DEANNA G | 702 S 3RD ST | |
| LONE STAR RAILROAD INC | 550 S 1ST ST | |
| UNION PACIFIC SYSTEM | 601 S 2ND ST | |
| LONE STAR RAILROAD INC | 102 S 1ST ST | |
| MAYFIELD J STANLEY & DEANNA G | 208 LOCUST ST | |
| LONE STAR RAILROAD INC | 101 S 1ST ST | |

Case # Z-2015-04

0 in Favor- **Y**0 Opposed- **N**

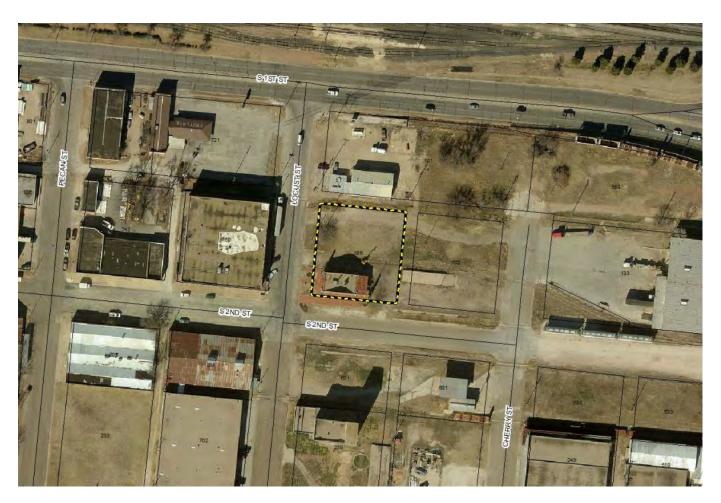


Case # Z-2015-04 Updated: January 12, 2015





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